

**COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
CASE 08-008**

**IN RE: LEELA FLOWERS
ALLEGED VIOLATION OF KRS CHAPTER 11A**

**INITIATING ORDER
Initiation of Administrative Proceeding
And Formal Complaint**

The Executive Branch Ethics Commission (the "Commission"), upon its own motion, initiated a preliminary investigation of Leela Flowers (the "Respondent"), pursuant to KRS 11A.080(1), on May 12, 2008.

At all relevant times the Respondent was a "public servant" as defined in KRS 11A.010(9), and thus subject to the jurisdiction of the Commission.

The Commission initiated the preliminary investigation to determine whether there was probable cause to believe the Respondent violated provisions of KRS Chapter 11A (also referred to herein as the "Ethics Code").

The Commission notified the Respondent of the preliminary investigation by letter dated May 12, 2008. The Commission focused upon the following possible violations of the Ethics Code in the course of its investigation:

1. The Respondent's use of her official position to give herself a financial gain in violation of KRS 11A.020(1)(c); and
2. The Respondent's receipt of interest or profit from the use or loan of public funds in her hands raised through the Kentucky Office of Insurance in the Environmental and Public Protection Cabinet, in violation of KRS 11A.040(2).

During the course of the investigation, the Commission found probable cause to believe that violations of KRS Chapter 11A had occurred and voted on July 11, 2008 to initiate an

administrative proceeding, pursuant to KRS 11A.080(4)(b) and KRS Chapter 13B, to determine whether the Respondent violated the Ethics Code as set forth in the Allegations of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.

IT IS THEREFORE ORDERED that:

1. The Respondent shall file her answer to this Initiating Order within twenty (20) days from the date of service, verifying the truth and accuracy of any answer submitted.
2. The Respondent shall appear at a hearing to be scheduled by subsequent order and be prepared to defend against the Commission's allegations that he committed the Ethics Code violations set forth in the Allegation of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.
3. All material submitted to the Commission shall be addressed to the Executive Branch Ethics Commission, The Vest-Lindsey House, 401 Wapping Street, Frankfort, Kentucky 40601. The Commission is represented by Dana Cox Nickles, General Counsel, who may be contacted through the Commission's office at (502) 564-7954.
4. The Respondent has the right to legal counsel during this proceeding. If the Respondent retains legal counsel, that person shall file an appearance with the Commission, and thereafter all correspondence from the Commission to the Respondent shall be mailed or delivered to the Respondent's attorney.
5. The Respondent has the right to examine upon request, at least five (5) days prior to the hearing, a list of witnesses the Commission expects to call at the hearing, any evidence which will be used at the hearing and any exculpatory information in the Commission's possession.

6. The Respondent has the right to subpoena witnesses on his own behalf. If the Respondent subpoenas witnesses, he shall pay for all costs associated with the issuance of the subpoenas, including any applicable witness fees.


7. If the Respondent fails to attend or participate as required at any stage of the administrative hearing process without good cause shown, he may be held in default pursuant to KRS 13B.050(3)(h).

8. The Respondent has a right to appeal any final Commission order to the Franklin Circuit Court within thirty (30) days of service.

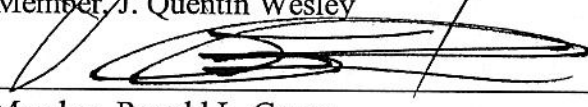
9. This proceeding is subject to KRS Chapter 11A, the Commission's regulations, the provisions of KRS Chapter 13B, and any Order issued by the Commission or its hearing officer issued during this administrative proceeding.

So ordered this 11th day of July, 2008.

EXECUTIVE BRANCH ETHICS COMMISSION:



Chair, John A. Webb

Member, J. Quentin Wesley

Member, Ronald L. Green

Member, Gwendolyn R. Pinson

**APPENDIX A
CASE NO. 08-008
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Leela Flowers, was at all times relevant an employee of the Commonwealth of Kentucky, serving as an Administrative Specialist with the Kentucky Office of Insurance in the Environmental and Public Protection Cabinet. The Respondent was subject to the jurisdiction of the Commission at all relevant times. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Leela Flowers committed the following violations:

COUNT I

Leela Flowers violated KRS 11A.020(1)(c) by using her official position or office to obtain financial gain for herself by depositing funds in the amount of \$2,068.66 collected for the Kentucky Employees Charitable Campaign into her personal bank account, expending the funds for personal use, and then failing to reimburse the funds for a period of five (5) months.

KRS 11A.020(1)(c) provides:

- (1) No public servant, by himself or through others, shall knowingly:
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family.

COUNT II

Leela Flowers violated KRS 11A.040(2) by knowingly receiving an interest or profit arising from the use or loan of public funds in her hands or to be raised through any state agency when she deposited public funds in the amount of \$2,068.66 raised through the Kentucky Office

of Insurance in the Environmental and Public Protection Cabinet on behalf of the Kentucky Employees Charitable Campaign into her personal bank account, expended the funds for her own personal use, and then failed to repay the funds for a period of five (5) months.

KRS 11A.040(2) provides:

(2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.

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